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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 10/614,385 | 07/07/2003 | Derrick Lynn Baird | | 7442 |

7590 10/19/2005
Derrick L. Baird
1526 Carrie Belle Dr.
Knoxville, TN 37912

| EXAMINER |
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SAN MARTIN, EDGARDO

| ART UNIT | PAPER NUMBER |
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2837

DATE MAILED: 10/19/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/614,385

Applicant(s)

BAIRD, DERRICK LYNN

Examiner

Edgardo San Martin

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 July 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____

DETAILED ACTION

Pro-Se Note

1. The Examiner notices that the Application does not have a legal representation. The Examiner encourages the Applicant to seek for legal representation to assure a fair and complete understanding of the laws and practices involving patent prosecution. For further assistance, the Applicant can find useful information in our website for Independent Inventors:

<http://www.uspto.gov/web/offices/com/iip/index.htm>

, and also by calling our Customer Service Department at 800-786-9199 or 800-308-4357.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1, 3 and 8 are rejected under 35 U.S.C. 102(b) as being anticipated by Stark (US 5,996,728).

With respect to claims 1 and 8, Stark teaches a speaker cabinet, comprising a base cabinet which houses at least one speaker with at least one connection hole (Fig.1, Item 24) in one of the four sides, at least one female connector (Fig.2, Item 45) centered on the base cabinet connection hole, at least one male connector (Fig.1, Item

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60) which passes through the connection hole and attaches to the female connector (Fig.2), whereby (a) a user of the speaker cabinet can secure a mating speaker cabinet in bearing to the first cabinet with the male connector and female connector and thereby increase the number of speakers in a speaker array, (b) the user can remove one or more speakers in the speaker array for easy transport or placement, (c) the user can secure within the speaker array different types of speakers without removing speakers from cabinet (Fig.11) (Col.3, Lines 6 – 47, Col.4, Line 26 – Col.7, Line 11 and Col.8, Line 56 – Col.10, Line 30).

With respect to claim 3, it has been held that a recitation with respect to the manner in which a claimed apparatus is intended to be employed does not differentiate the claimed apparatus from a prior art apparatus satisfying the claimed structural limitations. *Ex Parte Masham*, 2 USPQ F.2d 1647 (1987).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 2, 4 – 7 and 9 – 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stark (US 5,996,728) in view of Selby (US 4,940,108).

With respect to claims 9 - 11 Stark teaches the limitations discussed in a previous rejection, but fail to disclose further including a series electrical connection and a plurality of parallel electrical connection.

Nevertheless, Selby teaches a speaker array including a series electrical connection and a plurality of parallel electrical connection (Figs.1 and 2; Col.4, Lines 23 – 39).

It would have been obvious to a person with ordinary skill in the art at the time of the invention was made to employ the Selby electrical connection with the Stark speaker array configuration because it would provide a more realistic and accurate reproduction of sound, furthermore, would provide a system that produces a stereo sound image in both a horizontal plane and an extended vertical plane, while avoiding a reduction in the quality if stereo sound image produced due to early reflections of sound waves.

With respect to claims 2 and 5 –7, the Examiner takes Official Notice that it is well known in the art of speaker cabinets and/or performing arts equipment to employ staking corners to align a plurality of stackable cabinets or boxes, in addition, the use of a cap screw as a male connector and a nut as a female connector is extremely well known in the art of fasteners.

With respect to claim 4, Stark teaches wherein the sides of the base cabinet comprise three of the connection holes, however, the Examiner considers that it would have been an obvious matter of design choice to employ four connection holes instead of three, since it has been held that mere duplication of the essential working parts of a

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device involves only routine skill in the art. *St. Regis Paper Co. v. Bemis Co.*, 193 USPQ 8.

With respect to claim 12, it has been held that a recitation with respect to the manner in which a claimed apparatus is intended to be employed does not differentiate the claimed apparatus from a prior art apparatus satisfying the claimed structural limitations. *Ex Parte Masham*, 2 USPQ F.2d 1647 (1987).

Conclusion

4. The attached hereto PTO Form 892 lists prior art made of record that the Examiner considered it pertinent to applicant's disclosure.

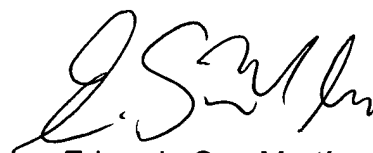
Contact Information

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Edgardo San Martin whose telephone number is (571) 272-2074. The examiner can normally be reached on 8:00AM - 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Martin can be reached on (571) 272-2107. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read "E. San Martín".

Edgardo San Martín
Primary Examiner
Art Unit 2837
Class 181
October 17, 2005